

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA

2010 JAN 25 PM 2:44

JEREMY W. GARDNER, CLERK

BY: B. Hamilton

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6  
7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF YAVAPAI**

9  
10 STATE OF ARIZONA,

11 Plaintiff,

12 vs.

13 STEVEN CARROLL DEMOCKER,

14 Defendant.

Case No. P1300CR20081339

15  
16 **MOTION TO COMPEL**  
17 **PROSECUTION TO HONOR**  
18 **VICTIM'S RIGHTS**

Honorable Thomas Lindberg Division 6

19 Come now the victims Charlotte Rose and Katherine Gray DeMocker, by and through  
20 undersigned counsel, and request this Court enter Its order to compel the prosecution to comply  
21 with those rights guaranteed victims by the State of Arizona. This Motion is made pursuant  
22 Article 2, §2.1 of the Arizona Constitution and §13-4419 of the Arizona Revised Statutes and is  
23 more fully set forth in the accompanying Memorandum of Points and Authorities.

24 Respectfully submitted this 22<sup>nd</sup> day of January 2010.

25 TRAUTMAN DUPONT PLC

By Christopher B. Dupont  
Christopher B. Dupont  
Attorney for Victims

## MEMORANDUM OF POINTS AND AUTHORITIES

### STATEMENT OF FACT

Katherine and Charlotte are the natural born daughters of the deceased victim in this matter. As such, they are also victims of the crime committed against her. They are also the daughters of the defendant, Steven DeMocker.

From the outset of the case, the prosecution has discouraged the girls from asserting their rights as victims. On the day of Steven DeMocker's initial appearance October 24, 2008, Deputy County Attorney Bill Hughes informed the Court that Charlotte and Katie would have to waive their rights as victims if they wanted to have contact with their father. See attached Exhibit A, transcript of Initial Appearance before Magistrate Markham, at page 8. The girls at first waived their victims' rights but later reasserted their status and requested compliance with all statutory and constitutional rights to which they are entitled.

As a first step, the girls requested to be heard regarding their father's conditions of release. See Request for Re-Evaluation Hearing – Defendant's Conditions of Release filed November 10, 2009. This Court heard the girls on November 16, 2009.

In an attempt to further assert their rights as victims, both Katherine and Charlotte requested an opportunity to meet and confer with Deputy County Attorney Joe Butner. We formally requested a meeting in writing by sending letters to Mr. Butner on the following dates: October 29, 2009, November 7, 2009, November 19, 2009, and December 22, 2009. See Exhibit B. On November 5, 2009 and again on November 16, 2009 we orally requested of Mr. Butner the opportunity to confer with him regarding this case. And on January 4, 2010, I left a message

1 on Mr. Butner's personal office answering machine to return my call so we could set a time for  
2 the victims to confer with him; Mr. Butner has failed to return the call.

3 We have no other option at this stage of the proceeding but to ask this Court to intervene  
4 on behalf of the victims and to order the Yavapai County Attorney to honor the rights of  
5 Katherine and Charlotte DeMocker.

6 STATEMENT OF LAW  
7

8 As an initial matter, as daughters of the deceased victim, both Charlotte and Katherine are  
9 victims as defined by Article 2, §2.1.12(C) of the Arizona Constitution and A.R.S. §13-  
10 44401.19. Therefore, they are entitled to all victims' rights set forth in Title 13, Chapter 40,  
11 Arizona Revised Statutes.

12 At this time, the girls have attempted to assert their right to confer with the prosecuting  
13 attorney "about the disposition of [the] criminal offense, including [their] views about a decision  
14 not to proceed with a criminal prosecution, dismissal, [and] plea or sentence negotiations..."  
15 A.R.S. §13-4419. To this stage of the proceedings, the prosecution has alternately discouraged  
16 the girls from asserting their rights as victims and then ignored their requests to assert certain  
17 rights.  
18

19 As the victims have been unable to secure important statutory and constitutional rights,  
20 we now ask this Court to enter Its order directing the Yavapai County Attorney to meet and  
21 confer regarding this case.  
22  
23  
24  
25

1 Original Mailed for Filing this  
2 22<sup>nd</sup> day Of January 2010, to:

3 Clerk of Court, Yavapai County

4 Copies e-mailed this  
5 22<sup>nd</sup> day Of January 2010, to:

6 Joseph Butner, Esq.  
7 Yavapai County Attorney  
8 255 East Gurley Street  
9 Prescott, AZ 86301-3868

10 Larry Hammond  
11 Anne Chapman  
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13 2929 N. Central Ave., 21<sup>st</sup> Floor  
14 Phoenix, Az. 85012

15 John M. Sears  
16 107 Cortez Street, Suite 104  
17 Prescott, AZ 86301

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Magistrate Markham: And if we could see the last gentleman by himself, please.

Court Clerk: Yes, sir.

Markham: Do we have a closed door up there?

Court Clerk: Yes, sir.

Markham: Alright. Sir, your name is Steven Carroll DeMocker, sir? Is that right?

Steven DeMocker: Yes, Your Honor.

Markham: Mr. DeMocker, your mailing address, where would that be, sir?

DeMocker: 1716 Alpine Meadows Lane, number 1405.

Markham: Number 1405. Thank you, sir. That's in Prescott?

DeMocker: Correct.

Markham: That part of town, the zip code is--

DeMocker: 86303.

Markham: 86303. Thank you, sir. Now, Mr. DeMocker, were you listening as I told the first gentleman his rights in regards to a criminal case?

DeMocker: Yes, Your Honor.

Markham: Mr. DeMocker, let me know that--let me let you know that your attorney, John Sears, is down here. You can't see him because of where the camera is, but I'll just assure you that Mr. Sears is right next to me here down at the courtroom. Now, Mr. DeMocker, strong suggestion, remember your right to remain silent as I tell you, sir, you've been accused of first degree murder, as well as first degree burglary, armed burglary. Listen for any comments by victim, witness and/or the county attorney's office in this case.

Male: Your Honor, good morning. I spoke with Ruth Kennedy, one of the victims in this matter, this morning early in Nashville, Tennessee. She understands what is going on in this case and she did request that the defendant be held non-bondable. Thank you, Your Honor.

Markham: Yes.

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Bill Hughes: Good morning, Your Honor. Bill Hughes for the County Attorney's Office. Your Honor, the state is requesting that, pursuant to Article 2 Section 22, no bond be set in this matter. It's the state's intention to seek the death penalty in this matter. I've provided Mr. Sears with a copy of the notice of intent to seek the death penalty. We have it prepared and ready to file once a cause number is assigned in this matter, and so for those reasons, Your Honor, the state would request that no bond be set in this matter. Thank you.

Markham: Thank you. Mr. Sears, please.

John Sears: Your Honor, I have not received any discovery or information, even what the court has regarding the states' evidence in this case. I have represented Mr. DeMocker since the date of these events. At this point, I want to preserve my right to a *Simpson* hearing in this case. I ask that the court set one in its earliest opportunity. I think Mr. Hughes and I can address the time and the scheduling of such a hearing. Nonetheless, for purposes of today's hearing, the state has the responsibility and the burden of showing to this court that either the proof of guilt of my client as to the capital offense is evident or the presumption of his guilt is great. If the court has information available to it, I would ask for an opportunity to review that before I specifically address what the state's case is. My understanding generally is that this is a circumstantial case with no witnesses, no confessions. I do not know whether the state is claiming to have any physical evidence that would tie my client to these events. And for that reason, I'd ask just a moment to review what the court has, or if the state has a copy for me before I speak further.

Markham: Do you have a copy of the probable cause statement?

Sears: I do, Your Honor.

Markham: Okay. So maybe Mr.--

Sears: If I could step back and just have a moment to do that.

Markham: Sure. Let's both read this probable cause statement. And so we're on hold here, Mr. DeMocker, don't say a word. And, Mr. Sears, how long has it been slowing down the \_\_\_\_ read this carefully? Alright, Mr. Sears.

Sears: Your Honor, having just received this information, I am not in a position, of course, to respond today in any meaningful way, and I would just suggest that the court can see even from this probable cause statement that apparently the police do not have what they believe actually is a murder weapon. The physical evidence that is referenced has to do with footprints and bike tire tread patterns,

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and, beyond that, I don't see anything in my first read through this probable cause statement in case that the state has other physical evidence, this is a circumstantial case. Given the gravity of the offense, I would ask the court to find Mr. DeMocker, for purposes of today's hearing, bondable and set an appropriate bond. If the court's inclined to do that, I'd ask to be allowed to speak directly to bond. But I think, at this point, pending the *Simpson* hearing in this case, that's all I can say. I don't have adequate notice or an opportunity to defend at this point under the case law.

Markham: Okay. Any misuse of the standard proof for a non-bondable request is proof evidence that a person has committed one of the listed offenses, which certainly first degree murder is. Your comments as whether proof of evidence standard has been met or not, so.

Hughes: Your Honor, it's the state's opinion that that proof has been met and is set forth in the probable cause statement. In addition, I believe this court has reviewed a number of the search warrant affidavits that have been filed in this case. Those affidavits flesh out in much greater detail the information that was summarized in the probable cause statement.

Markham: You know, I prefer, \_\_\_\_\_, that, yes, I've seen affidavits for search warrants, but I prefer that anything that be used at this hearing be, quote, on the record. And so if you want to disclose affidavits for search warrants and have that be part of the record for this decision, I'd let Mr. Sears to have a chance to see that and respond to that that is appropriate, or otherwise I'm kind of--I think I'm going to limit my information for my decision-making purposes to what I'm presented here today.

Hughes: I understand, Your Honor. Your Honor, I believe the purpose of the *Simpson* hearing is to have a complete hearing into the determination of whether proof is \_\_\_\_\_ or the presumption is great. For purposes of today's hearing, I would ask that the court rely on the probable cause statement that's been provided to it. I believe that that, although, as Mr. Sears says it's a circumstantial case, that the court is aware and Mr. Sears is aware that from a legal standpoint the law makes no distinction between circumstantial and direct evidence and—and, in fact, that's a standard jury instruction in every criminal case. Your Honor, the probable cause statement is clear in the presumption is great and proof is evident. And I would ask that the court set a *Simpson* hearing within a reasonable time as the law requires but that the court hold the defendant without bond until such hearing.

Markham: Okay. And question, *Simpson* hearings would apply only if I find without bond or—and another question, if I do hold him without bond and set a *Simpson* hearing, it

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was my understanding, at least as far as the cases involving somebody allegedly in this country illegally, that the *Simpson* hearing is held at the Superior Court before a court of--on the record, shall we--a court of record, shall we say, and so it would be at least, in that type of case, a Superior Court judge who would be make--having a hearing--

Sears: I would agree with that, Your Honor.

Markham: And so really it would seem to me that, Mr. Sears, that that point about whether it be this court or a court of record, so to speak, to hold a *Simpson* hearing.

Sears: I think *Simpson* hearings can be conducted in this court. If you read *Simpson* and you read a later case, *Sagura versus Kunan*, 530 Ariz. Adv. Rptr. 30, which is an April 24, 2008 court of appeals decision, they talk about applying the time when the Rule 7.4(b) of seven days from the date of the motion, I think we could treat the state's request in open court today as the motion under 13-3961(a) to hold the defendant non bondable, and I think that the--whether the case is in the superior court within seven days or not depends--this is --depends largely on the timing of dates that this court is about to set here today. But I think--I just want to make it clear that I am not conceding that today's hearing is my *Simpson* hearing. The case law is clear that this is not my--

Markham: I think that's--

Hughes: I would agree with that--

Sears: --*Simpson* hearing. I'm entitled to a--

Markham: I think--

Sears: --hearing where the state has the burden, and I've given more discovery, and we can confront and cross-examine witnesses. So I think, to answer your direct question, I think this court has the ability to say whether it makes sense to do that given what I understand the state's intention is with regard to a probable cause determination is another thing, and I would defer to Mr. Hughes on the timing of that.

Hughes: Your Honor, I would--and Mr. Sears is certainly correct that there is some case law authority for a *Simpson* hearing within seven days. I think he would also agree with me that cases have found that a reasonable time can be as great as 60 or more days. What I would suggest is that this court set a hearing in the early disposition court as it normally does, the early disposition court judge, which would be a superior court judge, could then set the *Simpson* hearing at that judge's



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discretion within the deadline that the case law and the rules allow and I--would be my suggestion, Your Honor.

Markham: Okay. Alright.

Sears: May I be \_\_\_\_\_?

Markham: Yes. Please, Mr. Sears, you can finish saying whatever you want to say.

Sears: Thank you. I've talked informally with Mr. Hughes about this fact. The court has been setting the EDC dates for next Thursday in the Verde. The court noticed that Judge Ainley presides over the disposition court. I'm advised that Mark Ainley has been assigned to this case and I've already met briefly with him here. I think, given the serious nature of these charges, if there were a way to schedule this case on the Tuesday, October 28 EDC calendar, Judge Geiger would take the case there at the state, is ready to go to EDC that day, then I would prefer doing that rather than trying to get another judge to come in next Thursday in Camp Verde just for purposes of conducting what I think is going to be a *pro forma* early disposition court hearing at that time. That's my suggestion.

Hughes: Your Honor, the state would ask that this be set in the normal course. It's not an unusual occurrence for Judge Ainley to have conflicts and, as of this date, it's my experience that she has never had a difficulty finding another superior court judge in the Verde Valley to step in and hear a case on a Thursday EDC setting if she has a conflict. She's done it many times before and I suspect will continue to do that in the future. As far as taking this case to EDC on Tuesday, I don't believe the state will be ready to have the case ready to go EDC in such a short period of time, particularly since today is a Friday and the defendant was just arrested late yesterday afternoon. So I would ask the court to set this in the normal course as it normally would for the Thursday. My office will certainly inform Judge Ainley's judicial assistant of the conflict so she'll be appraised ahead of time, which actually is a luxury that quite often she doesn't have for EDC conflict cases, so there will be an opportunity for her to have another superior court judge available for the Thursday EDC.

Markham: You--I'm going to say that -- you know, let me make a finding and then we'll get back and--I'm going to, for today--for the purpose of today's case, find that there is evident proof of the commission of the offense in what I see. So, yes, at least until further hearing or further motions of it, Mr. DeMocker is going to be held without bond until further notice. Mr. DeMocker, meaning you're just in custody, obviously. Just listen to your attorney's going to talk to you privately, Mr. DeMocker. I will be telling you to obey the laws, not to possess or drink any alcohol. Do not leave the state of Arizona without prior permission of the court.

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And no contact with Ms. Kennedy's sister or, you know, what is it you're asking to do about victim's families?

Hughes: Your Honor, we'd ask that, at this point, the defendant have no contact with either the victim's mother, who is Ruth Simpson [sic], and the victim's children, who are -- and I'm not sure if I have that information in front of me. I believe one of the girls is named Katie, and the other girl is named Charlotte.

Sears: If I could be heard on that party \_\_\_\_\_?

Markham: Yes, please.

Sears: Katherine and Charlotte are my client's children. Katherine's over the age of 18, but Katie was, until yesterday and is today, under the care and custody of my client. I have been involved with this case since the day after this happened. I am very well familiar with the girls, and my strong belief is that they will not want a no-contact order with their father, notwithstanding what the state has alleged here to the contrary. I think they are very much in support of their father, love their father, and want to participate in this case, so I don't think it's appropriate at this time, absent something further from victim witness that affirmatively says that they have invoked their victim's rights and wish no contact, that the court is simply ordering no contact. It may be a moot question for a short period of time while Mr. DeMocker remains in custody. But I just want to make the record clear that, with respect to Katie and Charlotte, they by no means consider themselves victims.

Hughes: And, Your Honor, I believe that the victim's rights law is such that the victims are going to have to opt out of--in other words, the victims are going to have to affirmatively ask to have contact. They have not done that. We certainly will be having contact with the adult daughter and certainly whoever is going to act as the guardian for the minor daughter and find out what their positions are, and we will keep the court apprised of what we find out.

Markham: Okay. I think --I think that that's kind of my understanding, too, Mr. Hughes. The girls might opt out and do want contact with their father, but I will say, Mr. DeMocker, until further notice, no contacting Ruth Simpson, or the mother of the victim, and no contacting either Charlotte or Katie until further notice by your daughters. If they opt out of the victim's rights provisions and want contact, they will certainly have the opportunity to let everybody know that, and if they say that, certainly I would unring that particular bell without contacting Charlotte and Katie if that was their wish. I'm going to tentatively set a--so it's--I'm held--holding him without bond until further hearing. But, Mr. Hughes, Mr. Sears' comment that a early disposition court really is a *pro forma* thing in this case,

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there obviously is not going to be any disposition ultimately at a early disposition court, and so really it's just a matter of seeing a superior court judge and waiting to see what happens as far as either preliminary hearings or grand jury indictments. And so it would seem to me that Mr. Sears' comment makes a certain amount of sense. I was to set something within seven days in case it happens to be my court that we'll be doing this. I happen to know I have no jury trial going next Thursday to set a *Simpson* hearing next Thursday, say starting at 10 o'clock in the morning, and what with the conflict of EDC time down in the Verde on Thursday, and might look at my calendar to say if I'm going to be doing it, Thursday is probably the day that I want to do it within seven days, and so, Mr. Hughes, I guess my inclination—I'll let you respond to it—is to do a special exception set in early disposition court for next Tuesday, October the 28th, at Division 5 of the Superior Court at 8 o'clock in the morning. Obviously, since Mr. DeMocker's in custody, we could hand walk through the paperwork, kind of a, you know, faster than normal fast, as far as getting the paperwork to the Superior Court, at least from our end of things. You know, yes, you'll be having to give disclosure to Mr. Sears, but I guess it's kind of understood that full disclosure's going to be difficult either Tuesday or Thursday in the nature of this type of case, particularly since you've indicated you're going to be filing that special notice. And so, you know--

Hughes: Your Honor, if I could be heard on one scheduling issue, and that would be if Your Honor would consider setting the *Simpson* hearing for a Friday afternoon at some time after noon. And my reason for that request is, if this case were to go to a grand jury proceeding, that grand jury proceeding would likely be on a Friday morning, and I think what would—it would streamline the process quite a bit if it went to that grand jury proceeding. At that point, the Superior Court would have its jurisdiction and would be able to conduct the *Simpson* hearing. So that would be my request. If it doesn't go to grand jury or for some reason there's was a no true show bill at the grand jury--

Sears: Can we put October 31st, please?

Markham: I'm just Mr. Sears—the comment about Friday, I guess, you know, that would actually be the eighth day, I guess, if I count tomorrow as the first day Friday. And so, two weeks, two Fridays from the eighth day. Mr. Sears?

Sears: Your Honor, here's my overarching concern. It has to do with the way in getting in front of a Superior Court judge to have that division, who is ultimately assigned responsibility for this case in the Superior Court, set what I think will be the actual *Simpson* hearing. And so if we went out, even if we went to EDC on Thursday and the State had not taken the case to grand jury at that point, then my limited experience in cases where there's no prior probable cause for termination

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and defendant doesn't waive his, that it could add extra delay before we actually wind up in front of a Superior Court judge for an arraignment, which we do the first time when we could get that date scheduled. What I'm looking for is a procedure that would streamline that process where, with counsel participating in some sort of cooperative fashion, we could sooner than that start to pick dates out and perhaps even know where the case is going to be assigned by next Tuesday so that we could work that division to set a *Simpson* date that gives the state time to attempt to present this case to a grand jury. That's my thought. And so a—you know, the Tuesday idea makes sense. That being the case, if I can have that accommodation from the court, and the state knows that that's what I'm going to try to do next Tuesday, then I don't object to setting the *Simpson* hearing in your court on the eighth day, Rule 7.4 notwithstanding, because my expectation is that we're not actually going to conduct it in your court.

Hughes: And, Your Honor, I think that's reasonable. Mr. Sears has already been in brief contact with Mr. Ainley. And Mr. Ainley will definitely be at that early disposition court hearing. We'll be able to meet with Mr. Sears and have some input at that point as to which division the case gets assigned to in the Superior Court. So I—

Markham: Okay.

Hughes: --I would recommend that course of action, also.

Markham: Okay. Just looking at my calendar on October 31st, Tuesday afternoon, I already have some things set so I'm going to set it for a tentative *Simpson* hearing, should I be the one to do it, for Friday October 31st at 9 o'clock in the morning. So a *Simpson* hearing set for Prescott Justice Court, unless otherwise set in the Superior Court—somebody put in a minute entry--October 31st at 9 o'clock in the morning. I will set an early disposition court procedure in this case for Division 5 on Tuesday, October the 28th, at 8 o'clock in the morning at the Division 5 of the Superior Court. I've already talked about the conditions of release being held without bond and the other no-contact orders. Obviously, if, on Tuesday counsel hear that the *Simpson* hearing is going to be set some other place other than the Prescott Justice Court, and we'd appreciate a heads-up so we know whether we're going for real or not. If we do know that there is going to be a *Simpson* for real, I assume that somebody would want a court reporter and so, again, gives a heads-up one way or the other whether that's going to go or not go so we know what to start to plan for. Mr. Hughes, anything further we can do here today's date, though?

Hughes: No, Your Honor, that would be --

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Markham: Mr. Sears?

Sears: Actually, Your Honor, I think the name of the victim's mother is Ruth Kennedy, not Ruth Simpson. I think we misspoke there.

Hughes: I would agree. I think it is Ruth Kennedy\_\_\_\_\_.

Markham: Okay, so Ruth Kennedy will be the mother of the victim he is to have no contact with, as well as Charlotte and Katie DeMocker, yes.

Sears: Steve, I'll come up and see you.

Markham: You hear that? Your attorney's going to come up and see you, Mr. DeMocker.

DeMocker: Thank you.

Markham: Alright. Alright. So I guess that will be it then for the day.

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# TRAUTMAN DUPONT, PLC

29 October 2009

Joseph C. Butner  
Deputy County Attorney  
212 East Gurley Street  
Prescott, AZ 86301

RE: State v. Steven Carroll DeMocker, No. P1300CR20081339

Dear Mr. Butner:

Enclosed please find non-conformed copies of my Notice of Appearance on behalf of the victims, Katherine and Charlotte DeMocker.

We welcome the opportunity to meet with you and confer regarding this case. Please ensure that we are informed of all future court proceedings. Communication with Katherine and Charlotte should be initiated through me as their attorney.

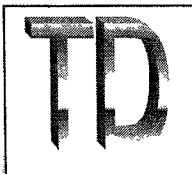
At some point in the near future, we intend to ask for a re-examination of the Motion to Modify Conditions of Release that is currently under advisement with Judge Lindberg. It would probably be better if we discussed the best procedure to do so prior to our filing such a petition with the Court

I look forward to speaking with you in the near future, Joe, and to working with you in this very important matter

Best Regards,



Christopher B. Dupont



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Phoenix, AZ 85003

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FAX (602) 344-0043  
E-MAIL [dupontlaw@cox.net](mailto:dupontlaw@cox.net)



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**Date:** Saturday, November 7, 2009 1:53 PM  
**From:** dupontlaw@cox.net  
**To:** joe.butner@co.yavapai.az.us  
**Subject:** Katie and Charlotte DeMocker

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Thank you for calling the other day, Joe, I look forward to working with you to protect Katie and Charlotte through this horrific ordeal.

And thank you for sending some of the pleadings related to conditions of release.

As we discussed, I have attached to this e my notices of appearance for both girls. I expect to file this week a Motion for Re-Examination of Conditions of Release so the girls can be heard on their strong desire to be reunited with their father.

If you could, please send me the documents Katie and Charlotte signed to opt out of their victim's rights. And please either provide any correspondence sent by the victims rights advocate in your office to Katie or Charlotte or provide that person's contact information so I can get it for myself. It is important I have this information as soon as possible, so I can decide whether to join any part of the defendant's motion to declare certain sections of the Victim's Rights Statute unconstitutional.

It is my hope that we can address conditions of release at your next hearing date November 17. Please let me know if there is anything I need to do to facilitate. Maybe we can arrange a meeting with the girls for that day or the day before or after; just let me know what works for you.

And thank you in advance for your prompt attention to these very important matters. Look forward to speaking with you again soon.

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dupontlaw@cox.net



NOtice of Appearance - Charlotte.doc



NOtice of Appearance - Katherine.doc



Butner Letter - 10292009.doc

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**Date:** Thursday, November 19, 2009 11:24 AM  
**From:** dupontlaw@cox.net  
**To:** Joe Butner <joe.butner@co.yavapai.az.us>  
**Subject:** Katie and Charlotte DeMocker

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Joe,

Good to see you this week.

And thank you for agreeing to expedite return of Katie's property as detailed in a letter from Anne Chapman to you dated September 1, 2009. I have attached a copy of the letter so you have it on your desk. I particularly appreciate your comment that Katie will have her equipment back 'well before Christmas' as she has a lot of personal photographs that she would like to share with the family over the holidays.

Katie and Charlotte are available to meet with you any time between January 6 and January 8, 2010. Lets try to commit to a time now so we can work on protecting that date. Just let me know what works for you, and we will plan to meet at your office.

And finally, please request that your vicitm services department keep the girls informed of all court dates. Again, all contact should be through me as their attorney - email notice will be fine.

Look forward to seeing you in January, Joe, if not before. Let me know if there is anything we can do for you in the meantime.

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dupontlaw@cox.net



return property letter by chapman - katie democker.pdf

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**Date:** Tuesday, December 22, 2009 9:29 AM  
**From:** dupontlaw@cox.net  
**To:** Joe Butner <joe.butner@co.yavapai.az.us>  
**Cc:** charlottedemocker@hotmail.com, kdemocker@oxy.edu  
**Subject:** RE: Katie and Charlotte DeMocker

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Joe,

Still have not heard from you regarding a meeting with the victims. At this stage, I am available late afternoon January 6 (400 or later), anytime January 7, or after 200 January 8. Please let me know what works for you.

Also, please add Katherine's computer to the list of items to return; you are aware that it is the Macbook Pro.

Thank you for your prompt attention to these very important matters. I look forward to hearing from you in the near future.

Chris

----- Joe Butner <joe.butner@co.yavapai.az.us> wrote:  
> I'm sorry to report that Katie's things will not be available until the first of January. If I can arrange for any earlier or partial release this will be done. If you have any questions about this, please give me a call.  
> Thanks, Joe Butner 928-567-7717  
>  
> -----Original Message-----  
> From: dupontlaw@cox.net [dupontlaw@cox.net]  
> Sent: Thursday, November 19, 2009 9:24 AM  
> To: Joe Butner  
> Subject: Katie and Charlotte DeMocker  
>  
> Joe,  
>  
> Good to see you this week.  
>  
> And thank you for agreeing to expedite return of Katie's property as detailed in a letter from Anne Chapman to you dated September 1, 2009. I have attached a copy of the letter so you have it on your desk. I particularly appreciate your comment that Katie will have her equipment back 'well before Christmas' as she has a lot of personal photographs that she would like to share with the family over the holidays.  
>  
> Katie and Charlotte are available to meet with you any time between January 6 and January 8, 2010. Lets try to commit to a time now so we can work on protecting that date. Just let me know what works for you, and we will plan to meet at your office.  
>  
> And finally, please request that your vicitm services department keep the girls informed of all court dates. Again, all contact should be through me as their attorney - email notice will be fine.  
>  
> Look forward to seeing you in January, Joe, if not before. Let me know if there is anything we can do for you in the meantime.  
>  
> Christopher B. Dupont  
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